

RECEIVED
CENTRAL FAX CENTER

;5167424366

1/ 5

DEC 21 2004

400 Garden City Plaza
Garden City, New York 11530
(516) 742-4343 - Telephone
(516) 742-4366 - Facsimile
e-mail: Intprop@ssmp.com

**SCULLY, SCOTT, MURPHY
& PRESSER****Fax**

To: Examiner: Matthew S. Gart
Group Art Unit: 3625
Confirmation No.: 9551

From: John S. Sensny, Esq.

Fax: 703-872-9306

Pages: 5 (Including fax cover sheet)

Phone:

Date: December 21, 2004

Re: Applicants: Dimitri Kanevsky, et al.
Serial No.: 09/777,077
Filed: February 5, 2001
For: "SYSTEM AND METHOD FOR
SOFTWARE SELLING"
Docket: YOR920000475US1 (13823)
JSS:jy

CC

NOTICE OF APPEAL

TRANSMITTED HEREWITH:

1. Notice of Appeal from the Primary Examiner to the Board of Appeals and Interferences (Large Entity) (in duplicate);
2. Authorization to charge IBM Deposit Account No. 50-0510/IBM (Yorktown) in the amount of \$500.00 for the Notice of Appeal fee; and
3. Certificate of Facsimile Transmission, dated December 21, 2004 (in duplicate).

FOR:

Applicants: Dimitri Kanevsky, et al.
Serial No.: 09/777,077
Filed: February 5, 2001
For: "SYSTEM AND METHOD FOR SOFTWARE SELLING"
Docket: YOR920000475US1 (13823)
JSS:jy

CONFIDENTIALITY: The documents accompanying this facsimile transmission may contain information which is either confidential or legally privileged and is intended only for the authorized use of the individual or entity named above without right or publication or republication, dissemination or disclosure except as expressly set forth or established by course of dealing. All rights are reserved. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of the contents of this facsimile is prohibited. If you received this transmission in error, please notify us immediately by telephone to arrange for return of the documents.

If you have any problems concerning this facsimile, please call (516) 742-4343 and ask for Julie @ Ext. 569.

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8) Applicant(s): Dimitri Kanevsky, et al.			Docket No. YOR920000475US1 (13823)
Application No. 09/777,077	Filing Date February 5, 2001	Examiner Matthew S. Gart	Group Art Unit 3625
Invention: SYSTEM AND METHOD FOR SOFTWARE SELLING			
CONFIRMATION NO.: 9551			
<p>I hereby certify that this <u>NOTICE OF APPEAL</u> (Identify type of correspondence) is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>(703) 872-9306</u>) on <u>December 21, 2004</u> (Date)</p> <p style="text-align: right;"><u>John S. Sensny</u> (Typed or Printed Name of Person Signing Certificate) <u>John S. Sensny</u> (Signature)</p> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p>			

P18/REV02

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Large Entity)**Docket No.
YOR920000475US1In Re Application Of: **Dimitri Kanevsky, et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/777,077	February 5, 2001	Matthew S. Gart	23389	3625	9551

Invention: **SYSTEM AND METHOD FOR SOFTWARE SELLING****COMMISSIONER FOR PATENTS:**

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated September 21, 2004 finally rejecting Claim(s) 1, 10-20 and 22-30

The fee for this Notice of Appeal is: **\$500.00**

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Director has already been authorized to charge fees in this application to a Deposit Account.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-0510/IBM
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

John S. Sensny
Signature

Dated: **December 21, 2004**

John S. Sensny
Registration No. 28,757

Scully, Scott, Murphy & Presser
400 Garden City Plaza - Suite 300
Garden City, New York 11530
(516) 742-4343

cc: JSS:jy

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on	
(Date)	
Signature of Person Mailing Correspondence	
Typed or Printed Name of Person Mailing Correspondence	

P13LARGE/REV07

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8) Applicant(s): Dimitri Kanevsky, et al.			Docket No. YOR920000475US1 (13823)
Application No. 09/777,077	Filing Date February 5, 2001	Examiner Matthew S. Gart	Group Art Unit 3625
Invention: SYSTEM AND METHOD FOR SOFTWARE SELLING			
CONFIRMATION NO.: 9551			
<p>I hereby certify that this <u>NOTICE OF APPEAL</u> (Identify type of correspondence) is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>(703) 872-9306</u>) on <u>December 21, 2004</u> (Date)</p> <p><u>John S. Sensny</u> (Typed or Printed Name of Person Signing Certificate)</p> <p><u>John S. Sensny</u> (Signature)</p> <p>Note: Each paper must have its own certificate of mailing.</p>			

P18/REV02

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Large Entity)**Docket No.
YOR920000475US1In Re Application Of: **Dimitri Kanevsky, et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/777,077	February 5, 2001	Matthew S. Gart	23389	3625	9551

Invention: **SYSTEM AND METHOD FOR SOFTWARE SELLING****COMMISSIONER FOR PATENTS:**Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated **September 21, 2004** finally rejecting Claim(s) **1, 10-20 and 22-30**The fee for this Notice of Appeal is: **\$500.00**

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Director has already been authorized to charge fees in this application to a Deposit Account.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **50-0510/IBM**
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.
SignatureDated: **December 21, 2004****John S. Sensny**
Registration No. 28,757**Scully, Scott, Murphy & Presser**
400 Garden City Plaza - Suite 300
Garden City, New York 11530
(516) 742-4343

cc: JSS:jj

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on	
(Date)	
Signature of Person Mailing Correspondence	
Typed or Printed Name of Person Mailing Correspondence	

P13LARGE/REV07